

## DANGEROUS GOODS PANEL

Frankfurt, 16 to 20 September 2002

### Agenda Item 1: Development of proposals, if necessary, for amendments to Annex 18

#### DEVELOPMENT OF SECURITY-RELATED PROVISIONS IN ANNEX 18

(Presented by the Secretary)

1.1 Following the decisions of the 33rd Session of the Assembly and Resolution A33-1, *Declaration on misuse of civil aircraft as weapons of destruction and other terrorist acts involving civil aviation* and the outcome of the High-level, Ministerial Conference held on 19 and 20 February 2002 at ICAO Headquarters, an aviation security plan of action was developed and presented to the Council (C 166/3 and C 166/14). Included in the plan is “enhancement of Annex 17 — *Security — Safeguarding International Civil Aviation against Acts of Unlawful Interference* to the Convention on International Civil Aviation and **introduction or strengthening of security-related provisions in other Annexes** to the Convention (Annex 1 — *Personnel Licensing*, Annex 6 — *Operation of Aircraft*, Annex 8 — *Airworthiness of Aircraft*, Annex 9 — *Facilitation*, Annex 11 — *Air Traffic Services*, Annex 14 — *Aerodromes* and Annex 18 — *The Safe Transport of Dangerous Goods by Air*)”.

1.2 During the review of the report of the Thirteenth Meeting of the Aviation Security (AVSEC) Panel by the Air Navigation Commission (160-5), the Commission noted the report did not reflect any progress on work associated with Security Strategic Objective No. 3 (Security controls of cargo, mail, courier and express parcels) and that potential risks associated with cargo handling and cargo flights should not be underestimated.

1.3 At the recent meeting of the UN Sub-Committee of Experts on the Transport of Dangerous Goods (1 to 10 July 2002), a discussion of transport and security took place after which it was agreed draft proposals for incorporation into the UN Model Regulations would be presented at the next meeting. An extract from the report of the meeting is given below:

*“Transport and security*

145. The Sub-Committee noted that, in the wake of the tragic events of 11 September 2001, the Inland Transport Committee of the United Nations Economic Commission for Europe was considering measures for intensified international cooperation and action to prevent and suppress terrorist acts and to evaluate the security aspects of transport in the UNECE region, notably with respect to the transport of dangerous goods.

146. The representatives of ICAO and IMO informed the Sub-Committee of the measures being undertaken by their respective organizations in this respect, e.g. under the framework of Annex 17 to the Chicago Convention (ICAO) or of the IMO Maritime Safety Committee

(development of an International Ship and Port Security and Safety Code, revision of the Recommendations on the Safe Transport of Dangerous Cargoes and related activities in Port areas and of the IMO/ILO/UNECE Guidelines for Packing of Cargoes in Freight Containers or Vehicles).

147. The Sub-Committee also noted that the United States of America has already proposed measures for implementation at national level and that the European Commission was also preparing such measures.

148. Several delegations expressed the wish that measures related to the security of the transport of dangerous goods be harmonized at international level and considered that, in the absence of other relevant international instrument, they should become a subset of the transport safety regulations which could be addressed to governments and international organizations through the UN Model Regulations on the Transport of Dangerous Goods.

149. The expert from the United Kingdom considered that action could be taken already during the present biennium, at least for measures concerning all modes of transport, and proposed to establish a correspondence working group which could develop proposals for relevant provisions for inclusion in the Model Regulations to be discussed at the next December session. This proposal was adopted.”

1.4 A draft proposal developed by the working group is presented in the appendix. (The official working paper for the December 2002 meeting will be available at WG02)

## 1.5 PROPOSAL

1.5.1 The meeting is invited to develop security-related provisions for incorporation into Annex 18 and/or the Technical Instructions. It is suggested a paper containing proposed provisions will be developed for the next Working Group of the Whole meeting (Spring 2003) .

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## APPENDIX A

### DRAFT

## PROPOSED TEXT FOR UN MODEL REGULATIONS

### PART 1

#### CHAPTER 1.4

#### SECURITY PROVISIONS

##### Introductory notes

**NOTE 1:** *This Chapter provides requirements intended to address the security of dangerous goods in transport in all modes. It should be noted that other mode specific security provisions may be found in Chapter 7.2.*

**NOTE 2:** *It should be recognised that, whilst directed primarily towards security of dangerous goods in transport, a number of the provisions in this Chapter are also likely to enhance safety during transport operations.*

**NOTE 3:** *In this Chapter, all reference to dangerous goods shall mean dangerous goods in quantities above those specified in Column 7 of the Dangerous Goods List in Chapter 3.2.*

1.4.1 All persons engaged in the transport of dangerous goods shall consider security requirements for the transport of dangerous goods commensurate with their responsibilities.

1.4.2 Competent authorities shall keep a register of all carriers of dangerous goods.

##### 1.4.3 SECURITY PLANS

1.4.3.1 Carriers, consignors and consignees who load, unload or transport dangerous goods [and infrastructure managers] shall adopt an appropriate security plan that addresses at least the elements specified in 1.4.3.2. Special consideration shall be given to particularly sensitive dangerous goods, an indicative list of which is set out in Table 1 below.

1.4.3.2 Elements of a security plan shall comprise at least all of the following:

- (a) specific allocation of overall responsibility for security to an appropriately senior, competent and qualified person;
  - (b) records of dangerous goods transported and associated security risk assessments;
  - (c) security risk assessments of current operations, including inter-modal transfer, temporary transit storage, handling and distribution;
  - (d) clear statements of measures, including training, policies (including response to higher threat situations), operating practices (e.g. choice/use of routes where known), equipment and resources which are to be used to reduce security risks;
  - (e) effective and up to date contingency plans for reporting and dealing with security incidents;
  - (f) procedures for the audit and testing of contingency plans.
- 1.4.3.3 Carriers, consignors and consignees shall co-operate with each other and with appropriate authorities to exchange threat information, apply appropriate security measures and respond to security incidents.
- 1.4.4 The training specified for individuals in 1.3.2 (a), (b) or (c) shall also include elements of security awareness. Such training shall be provided or verified upon employment in a position involving dangerous goods transport and shall be periodically supplemented with retraining as deemed appropriate by the competent authority.
- 1.4.5 Carriers, consignors and consignees that load, unload or transport and others involved in the preparation of dangerous goods for transport shall carry out appropriate background checks before employing new staff. Identity documents, employment references and certificates of professional competence shall be verified.
- 1.4.6 Carriers, consignors and consignees that load, unload or transport dangerous goods, particularly those specified in Table 1, shall take steps to ensure the appropriate security of written and electronic data relating to those goods.
- 1.4.7 Carriers, consignors and consignees that load, unload or transport dangerous goods shall have in place procedures for individuals to report suspicious activity to the appropriate authorities.
- 1.4.8 Carriers and consignors shall consider security risks when determining the choice of transport route, taking into account potential risks in densely populated areas, vulnerable sea-lanes, harbours, airports, bridges, tunnels and temporary stopping areas.
- 1.4.9 Transit sites, such as airside warehouses, marshalling yards and parking facilities shall be properly secured, well lit and, where possible, not be accessible to the general public.

## Table 1

**PARTICULARLY SENSITIVE DANGEROUS GOODS ARE CONSIDERED TO INCLUDE:**

Class 1, Division 1.1 explosives  
 Class 1, Division 1.2 explosives  
 Class 1, Division 1.3 explosives  
 Class 1, Division 1.5 explosives  
 Class 2.1 flammable gases (excluding aerosols)  
 Class 2.3 toxic gases  
 Class 3 (excluding Packing Group III and goods in packagings)  
 Class 4.1 desensitised explosives  
 Class 4.1 self-reactive substances of Packing Group I and Packing Group II in bulk  
 Class 5.1, Packing Group I and Packing Group II in bulk  
 Class 5.1, all ammonium nitrate fertilisers  
 Class 5.2, substances subject to temperature control  
 Class 6.1, Packing Group I and Packing Group II in bulk  
 Class 6.2, infectious substances of risk group 4 in any quantity  
 Class 7, Type B and Type C packagings  
 Class 8, Packing Groups I and II with toxic or flammable secondary risk

*[NOTE: 'in bulk' means transported in portable tanks or in bulk containers or as otherwise defined in modal provisions]*

**PART 7****CHAPTER 7.2****7.2.4 Security provisions for transport by road, rail and inland waterway**

**NOTE 1:** *These provisions are in addition to those applicable to all modes of transport as provided in Chapter 1.4.*

**NOTE 2:** *In this section, all reference to dangerous goods shall mean dangerous goods in quantities above those specified in Column 7 of the Dangerous Goods List in Chapter 3.2.*

7.2.4.1 Crews of road vehicles, trains and inland waterway craft transporting dangerous goods shall carry with them identification cards, vocational training certificates or other means of identification, which includes their photograph, during transport.

7.2.4.2 Crews of road vehicles, trains and inland waterway craft transporting dangerous goods shall report as required by relevant security plans (*see 1.4.3.2*). This shall be complemented by the use of transport telemetry or tracking methods or devices to monitor the movement of particularly sensitive dangerous goods (*see Table 1 in Chapter 1.4*) as appropriate.

- 7.2.4.3 The carrier shall ensure the application to vehicles and inland waterway craft transporting dangerous goods of devices, equipment or arrangements to prevent the theft of the vehicle or inland waterway craft or its cargo and shall ensure that these are operational and effective at all appropriate times.
- 7.2.4.4 Safety checks on vehicles in transport shall include checks to cover appropriate security measures.

### CONSEQUENTIAL AMENDMENTS

Amend 1.3.1 as follows:

Add second sentence to read “Training requirements specific to security of dangerous goods in Chapter 1.4.4 shall also be addressed.”

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